

REMARKS

Claims 1-6 remain pending and are currently amended. No claims are canceled or added.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as anticipated by Konuta et al., U.S. Patent Application Publication No. 2002/0180715. Applicant respectfully submits that this rejection should be withdrawn.

As an initial matter, applicant remarks that, for a publication to anticipate claims under 35 U.S.C. § 102(b), the publication would have to have issued more than one year before applicant's filing date. Because applicant's filing date is March 12, 2001, and Konuta et al.'s publication date is December 5, 2002, the rejection cannot be proper. However, 35 U.S.C. § 102(e) provides for anticipating claims based on the filing date of a U.S. patent application. Thus, applicant explains in the following why the Konuta et al. disclosure does not provide teachings to support an anticipation rejection, regardless of its date.

Claim 1, as amended, describes a moving image reproducing apparatus that has a processor for carrying out *in parallel* a plurality of tasks, and those tasks include:

- (1) a transfer task (to transfer a partial amount per time of moving image content from a recording medium to an internal memory); and
- (2) a reproduce task (to reproduce the moving image content stored in the internal memory).

Because the transfer task and the reproduce task are independent, the transfer task process does not delay the reproduce task process. Therefore, the moving image content is reproduced adequately.

In contrast, Konuta et al. discloses *serially* transferring image data from an external memory to an internal memory and *then* outputting the image data stored in the internal memory onto a display. (See, for example, the flow chart in Fig. 3.) Konuta et al. fails to disclose or

even remotely suggest carrying out *in parallel* the transfer task and the reproduce task under the control of the multi-task OS. Thus, claim 1 cannot be anticipated by Konuta et al.

Accordingly, withdrawal of the anticipation rejection is now solicited.

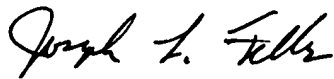
Applicant appreciates the indication that claims 2-6 would be allowable if claim 2 were rewritten in independent form. However, as discussed above, the anticipation rejection of base claim 1 should be withdrawn, so it is not necessary to rewrite claim 2 to gain the allowance of claims 2-6.

In view of the remarks above, applicants submit that the entire application is in condition for allowance, and a Notice of Allowability is now requested. If the Examiner believes that issues remain unresolved, he is welcome to contact the undersigned.

If necessary, the undersigned authorizes deducting any fees that may be due from Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Joseph L. Felber
Attorney for Applicant
Registration No. 48,109
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

JLF/au

Q:\2001\010304\010304 response to 6-14-05 action.doc